



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Docket ID FEMA-2013-0002

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

ADDRESSES: The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have

federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

Monroe County, Pennsylvania (All Jurisdictions)			
Docket No.: FEMA-B-1232			
Flooding Source(s)	Location of Referenced Elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL) Modified	Communities Affected
Appenzell Creek	Approximately 100 feet upstream of the McMichaels Creek confluence	+486	Township of Hamilton, Township of Jackson
	Approximately 975 feet upstream of LR 45056	+871	
Aquashicola Creek	At the Carbon County Boundary (approximately 2.2 miles downstream of Lower Smith Gap Road)	+467	Township of Eldred, Township of Ross
	Approximately 1.2 miles upstream of the most upstream Upper Smith Gap Road crossing	+580	

Brodhead Creek Reach 1	At the Delaware River confluence	+323	Township of Smithfield
	Approximately 0.5 mile upstream of State Route 2028	+323	
Buck Hill Creek	Approximately 160 feet upstream of the Brodhead Creek Reach 2 and Middle Branch Tributary confluence	+1017	Township of Barrett, Township of Coolbaugh
	Approximately 2.2 miles upstream of State Route 191	+2012	
Bushkill Creek	Approximately 1,100 feet downstream of Club House Drive	+470	Township of Middle Smithfield
	Approximately 1,130 feet upstream of State Route 402	+756	
Cherry Creek	At the Delaware River confluence	+323	Borough of Delaware Water Gap, Township of Hamilton, Township of Smithfield, Township of Stroud
	Approximately 1,250 feet upstream of Spring Mountain Lane	+635	
Cranberry Creek at Paradise	At the upstream side of Browns Hill Road	+715	Township of Paradise
	Approximately 200 feet upstream of Snowbird Lane	+1092	
Cranberry Creek at Pocono	At the Pocono Creek confluence	+796	Township of Pocono
	Approximately 580 feet downstream of State Route 611	+817	
Delaware River	Approximately 1.3 miles downstream of I-80	+315	Borough of Delaware Water Gap, Township of Middle Smithfield, Township of Smithfield
	Approximately 14.8 miles upstream of I-80	+357	
Kettle Creek	At the Appenzell Creek confluence	+491	Township of Hamilton
	Approximately 200 feet upstream of the Appenzell Creek confluence	+492	
Lehigh River Reach 2	Approximately 1.4 miles downstream of State Route 4003	+1512	Township of Coolbaugh, Township of Tobyhanna
	Approximately 780 feet upstream of T-303	+1617	
Marshalls Creek	At the Brodhead Creek Reach 1 confluence	+323	Township of Middle Smithfield, Township of Smithfield
	Approximately 2.6 miles upstream of Wooddale Road	+1144	
Pocono Creek	Approximately 1,000 feet upstream of the McMichaels Creek confluence	+416	Borough of Stroudsburg, Township of Hamilton, Township of Pocono, Township of Stroud
	Approximately 0.8 mile upstream of Wilke Road	+1441	
Sambo Creek	Approximately 60 feet downstream of the railroad	+444	Township of Stroud
	Approximately 1,500 feet upstream of State Route 447 (extended)	+451	

Scot Run	At the Pocono Creek confluence Approximately 450 feet downstream of State Route 611	+955 +955	Township of Pocono
Shawnee Creek Reach 1	At the Delaware River confluence Approximately 100 feet upstream of River Road	+326 +326	Township of Smithfield
Swiftwater Creek	Approximately 1,580 feet downstream of State Route 314 Approximately 2.7 miles upstream of Lake Minausin Dam	+1163 +1736	Township of Pocono, Township of Tobyhanna
Tributary 4 to Pocono Creek	At the Pocono Creek confluence Approximately 110 feet downstream of Alger Avenue	+861 +865	Township of Pocono

*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

^Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES:

Borough of Delaware Water Gap:

Maps are available for inspection at the Municipal Building, 49 Main Street, Delaware Water Gap, PA 18327

Borough of Stroudsburg:

Maps are available for inspection at the Municipal Building, 700 Sarah Street, Stroudsburg, PA 18360

Township of Barrett:

Maps are available for inspection at the Barrett Township Hall, 993 State Route 390, Cresco, PA 18326

Township of Coolbaugh:

Maps are available for inspection at the Coolbaugh Township Municipal Center, 5550 Memorial Boulevard, Tobyhanna, PA 18466

Township of Eldred:

Maps are available for inspection at the Eldred Township Office, 490 Kunkletown Road, Kunkletown, PA 18058

Township of Hamilton:

Maps are available for inspection at the Hamilton Township Municipal Building, 229 Fenner Avenue, Sciota, PA 18354

Township of Jackson:

Maps are available for inspection at the Jackson Township Municipal Building, 2162 State Route 715, Stroudsburg, PA 18360

Township of Middle Smithfield:

Maps are available for inspection at the Middle Smithfield Township Office, Schoonover Municipal Building, 25 Municipal Drive, East Stroudsburg, PA 18301

Township of Paradise:

Maps are available for inspection at the Paradise Township Municipal Building, 5912 Paradise Valley Road, Cresco, PA 18326

Township of Pocono:

Maps are available for inspection at the Pocono Township Municipal Building, 112 Township Way, Tannersville, PA 18372

Township of Ross:

Maps are available for inspection at the Ross Township Municipal Building, 258 Anchorage Road, Saylorsburg, PA 18353

Township of Smithfield:

Maps are available for inspection at the Smithfield Township Municipal Center, 1155 Red Fox Road, East Stroudsburg, PA 18301

Township of Stroud:

Maps are available for inspection at the Stroud Township Municipal Center, 1211 North 5th Street, Stroudsburg, PA 18360

Township of Tobyhanna:

Maps are available for inspection at the Tobyhanna Township Municipal Building, 105 Government Center Way, Pocono Pines, PA 18350

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

James A. Walke,

Acting Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

[FR Doc. 2013-02071 Filed 01/30/2013 at 8:45 am; Publication Date: 01/31/2013]